

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

LEVITON MANUFACTURING CO., INC.,

Plaintiff/Counter-Defendant,

v.

UNIVERSAL SECURITY INSTRUMENTS,
INC., *et al.*,

Defendants/Counter-Plaintiffs.

Civil Action No. 05-0889 AMD
(consolidated)

SHANGHAI MEIHAO ELECTRIC, INC.,

Plaintiff/Counter-Defendant,

v.

LEVITON MANUFACTURING CO., INC.,

Defendant/Counter-Plaintiff.

~~PROPOSED~~ JUDGMENT ORDER

Upon consideration of the Motion to Recover Costs and Attorneys Fees submitted by Shanghai Meihao Electric Inc. (“Meihao”), the opposition of Leviton Manufacturing Company, Inc. (“Leviton”), Meihao’s reply, the Memorandum Opinion of Magistrate Judge Susan K. Gauvey dated December 23, 2008 and Magistrate Gauvey’s December 29, 2008 Amendment To Memorandum Opinion dated December 23, 2008 (collectively, the “Report and Recommendation”), Meihao’s request for attorney fees associated with its motion for costs and attorney fees, the objections of Leviton to the Report and Recommendation, Meihao’s response to those objections, the related declarations and exhibits filed by the parties, and the entire record of this case, it is hereby

ORDERED that Meihao’s motion is granted to the extent set forth in the Report and

Recommendation, which is adopted by the Court, and this Court's Memorandum and Order dated May 12, 2009, and judgment is hereby entered in favor of Meihao as set forth herein. For the reasons stated in the Memorandum and Order, the Court finds that Meihao is the prevailing party in this action; that this action is an "exceptional case" within the meaning of 35 U.S.C. § 285 due to (1) Leviton's inequitable conduct before the United States Patent and Trademark Office, and (2) Leviton's vexatious litigation tactics in this case; and that an award of costs and attorneys fees is warranted.

It is therefore further ORDERED that Leviton shall pay Meihao costs in the amount of \$84,080.02 and reasonable attorneys fees in the amount of \$726,579.15, plus Meihao's additional reasonable attorneys fees and costs incurred in litigating the motion for fees and costs, along with post-judgment interest as provided by 28 U.S.C. § 1961 at the rate of .53%. The amount of reasonable costs and attorneys fees incurred in litigating the motion for fees and costs will be determined by the Court in a separate order to follow this Judgment Order. Payment is to be made by Leviton within thirty (30) days of the date of this Judgment Order.

SO ORDERED this 14th day of May, 2009.

/s/
Andre M. Davis
United States District Judge